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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/031,651   | 11/09/2001  | Katsuyoshi Makimura  | MM7445PCT(US)       | 4280             |
| 22203  | 7590        | 08/24/2004           | EXAMINER            |                  |
| KUSNER & JAFFE<br>HIGHLAND PLACE SUITE 310<br>6151 WILSON MILLS ROAD<br>HIGHLAND HEIGHTS, OH 44143 |             |                      | MAYEKAR, KISHOR     |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 1753                |                  |

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                               |                                 |  |
|------------------------------|-------------------------------|---------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>10/031,651 | Applicant(s)<br>MAKIMURA ET AL. |  |
|                              | Examiner<br>Kishor Mayekar    | Art Unit<br>1753                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All    b) ☐ Some \* c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/27/02</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Objections*

1. Claims 1-14 are objected to because of the phrase "characterized in that" is not conformed with standard U.S. practice. Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1 and 4-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, the phrase "a carriage supported and guided ... and allowed" and "a rotary control means extending" needs to be replaced with --configured to be supported and guided ... and allowed-- and --a rotary control means configured to extend--, respectively, to eliminate reference to a method of operating the device.

The same is applied to the phrase "the rotary control means is supported and guide". The phrase "the carrier body" lacks antecedent basis.

In claim 4, the phrase "the external periphery" lacks antecedent basis.

In claim 5, the phrases "the side" and "the transport object" lack antecedent basis.

In claim 6, the same is applied to claim 1 to the phrases "passes" and "is rotated" for the reference to a method of operating the device.

In claim 7, the same is applied to claim 1 to the phrases "passes" and "is rotated" for the reference to a method of operating the device.

In claim 8, the same is applied to claim 1 to the phrases "is rotated" and "is performed" for the reference to a method of operating the device. The phrase "the transport object", "the free end section" and "the treatment section" lack antecedent basis.

In claim 9, the same is applied to claim 1 to the phrases "is rotated" and "is performed" for the reference to a method of operating the device. The phrase "the free end section" and "the treatment section" lack antecedent basis.

In claim 10, the phrase " a transport object means" is confusing as whether it is the means as recited in claim 5 or another.

In claim 11, the same is applied to claim 10.

In claim 12, the same is applied to claim 10.

In claim 13, the same is applied to claim 8.

In claim 14, the same is applied to claim 8.

*Allowable Subject Matter*

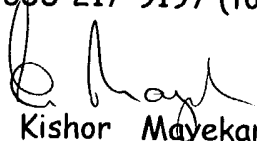
4. Claims 1-14 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph and the claim objections, set forth in this Office action.

5. The following is a statement of reasons for the indication of allowable subject matter: Because the prior art reference do not disclose in a conveyance apparatus the provision of the recited transport object support means, capable of rotating about an anteroposterior axis, on the recited rotary control means in combination with other recited structures as claimed in claims 1-14.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kishor Mayekar whose telephone number is (571) 272-1339. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen can be reached on (571) 272-1342. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Kishor Mayekar  
Primary Examiner  
Art Unit 1753